

Simpson, Andrea

From: Magoon, Molly
Sent: Monday, June 22, 2015 9:49 AM
To: Chow, James
Cc: Simpson, Andrea; Hayes, Sharon
Subject: FW: Mill West Notice
Attachments: 1651_001.pdf

FYI: Here is a copy of the Notice. I was aware that they were going to list me as a contact as I discussed it with Marc prior to posting. The number is my temporary EPA cell phone. You could reach me on it too. I have NOT received a call yet. I will keep you posted if and when I do.

Molly Magoon
Environmental Protection Specialist
United States Environmental Protection Agency
New England- Region 1
Phone: (617) 918-1848
FAX: (617) 918-0848
email: magoon.molly@epa.gov

EPA WEB SITE FOR LEAD: <http://epa.gov/lead/>

To Report a Violation of Lead Paint Rules in New England:

<http://www.epa.gov/region1/enforcement/leadpaint/reportviolations.html>

EPA-New England Web Site for Lead Paint Assistance/Enforcement in New England:

<http://www.epa.gov/region1/enforcement/leadpaint/index.html>

From: Marc Pinard [mailto:mpinard@bradysullivan.com]
Sent: Monday, June 22, 2015 9:34 AM
To: Magoon, Molly
Subject: Mill West Notice

Molly attached is a copy of the notice that was posted prior to Noon on Saturday.

From: copier@bradysullivan.com [mailto:copier@bradysullivan.com]
Sent: Monday, June 22, 2015 9:29 AM
To: Marc Pinard
Subject: Attached Image

NOTICE

The EPA has determined that this facility contains solid and/or hazardous wastes (lead-based paint dust and chipping lead-based paint) that may present an imminent and substantial endangerment to human health and the environment.

This Notice is required to be posted pursuant to an Order issued by the EPA in connection with it overseeing the testing and cleaning that has been ongoing in the facility. There have been no new developments that have caused this Notice to be issued. The issuance of this notice is related to the process that the EPA has been involved in previously. Testing and cleaning has been ongoing for a number of weeks and the testing and cleaning process will continue until all units have been addressed.

If you have any questions for the EPA, you may call Molly Magoon at (617) 721-2326. If you have any questions for Brady Sullivan, you may call Marc Pinard, General Counsel at 603 231-1289

Simpson, Andrea

From: Magoon, Molly
Sent: Tuesday, June 23, 2015 3:54 PM
To: Simpson, Andrea
Cc: Hayes, Sharon
Subject: RE: 195 McGregor Street - Certificates

Thanks- I still think a call tomorrow would be helpful to all involved.

From: Simpson, Andrea
Sent: Tuesday, June 23, 2015 3:04 PM
To: Magoon, Molly
Cc: Hayes, Sharon
Subject: Fw: 195 McGregor Street - Certificates

fyi

From: Marc Pinard <mpinard@bradysullivan.com>
Sent: Monday, June 22, 2015 4:53 PM
To: Simpson, Andrea
Subject: 195 McGregor Street - Certificates

Andrea, regarding your concern relative to certified cleaners, the following was the response I received from Les Cartier's office. I will follow up on this when they have emailed me the information. Thanks.

Marc: I have personally seen the certificates of their workers, both on pay roll and per diem temps that the have hired. I can forward the names and cert. #'s tomorrow.

Marc A. Pinard, Esq.
General Counsel
Brady Sullivan Properties, LLC
670 N. Commercial Street
Manchester, NH. 03110
Direct Line: 603 657-9715
Cellular: 603 231-1289
Fax: 603 622-7342

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Simpson, Andrea

From: Magoon, Molly
Sent: Tuesday, June 23, 2015 4:57 PM
To: Simpson, Andrea
Subject: FW: Daily Update for Millwest
Attachments: lead cleaning status 6-19-15.docx

Here is the latest Cartier Cleaning Report. FYI: It appears that they are testing units in the Annex....

-----Original Message-----

From: cartiergroup@metrocast.net [mailto:cartiergroup@metrocast.net]

Sent: Tuesday, June 23, 2015 2:25 PM

To: Alexakos, Philip J.; Beverly Drouin; Hayes, Sharon; Magoon, Molly; Marc Pinard; Mdumond; Patricia Simpson; Soucy, Timothy

Subject: Daily Update for Millwest

Attached please find the daily status of testing and cleaning at Millwest Lofts and Annex.

Les A Cartier & Assoc., Inc.
PO Box 338
Laconia, NH 03246

Millwest Lead Project Revised Summary through June 19, 2015

Total Millwest Loft Residential Units:	98
Testing Schedule:	
Total Residential Units Wipe Sampled:	95
Units Failed needing lead dust reduction:	85
Units Passed: (1 st round – no reduction needed)	10
Scheduled for Testing	0
Units w/no permission to enter:	3
Common Amenities - Lower Level Wipes	13
Common Amenities Passed wipe tests:	13
Lead Dust Reduction Schedule:	
Residential Units processed to date:	59
Units left for 1 st process	39
Units w/pass clearance tests:	55
Units processed/w/fail clearance test:	10
Units to be re-processed for clearance	7
Units with no permission to enter	5
Total Millwest Annex Residential Units:	80 + (2 units are still under construction)
Units Dust Wipe Samples:	3
Units Passed and cleared:	3
Units scheduled for sampling 6/22/15	2
Units to be sampled:	75

Les A Cartier & Assoc., Inc.
PO Box 338
Laconia, NH 03246

Millwest Lead Project Revised Summary through June 19, 2015

Commercial Units:

Total Millwest Commercial Tenants:	24 (based on footprint provided)
Units occupied:	14
Units Vacant:	10
Units requesting testing: (one tenant occupying 2 units)	8
Units tested to Date:	8
Units w/passing test wipes:	3 Moore Ctr. & NH Voc. Rehab Vista Foods
Units w/elevated level wipes:	5
Units processed to date and pass clearance:	1
Units pending processing and clearance:	4
Units pending 1st clearance test:	0
Commercial Tenants that have not requested testing	6

Submitted 6/23/15

Diane K Cartier, Project Coordinator

Simpson, Andrea

From: Magoon, Molly
Sent: Wednesday, June 24, 2015 3:17 PM
To: Simpson, Andrea
Subject: FW: Daily Update Millwest
Attachments: lead cleaning status 6-22-15.docx

We should probably get your name on these reports, if they are going to continue sending them?

Here's the latest.

-----Original Message-----

From: cartiergroup@metrocast.net [mailto:cartiergroup@metrocast.net]
Sent: Wednesday, June 24, 2015 1:50 PM
To: Alexakos, Philip J.; Beverly Drouin; Hayes, Sharon; Magoon, Molly; Marc Pinard; Mdumond; Patricia Simpson; Soucy, Timothy
Subject: Daily Update Millwest

Attached please find the Millwest progress report up to 6/22/15. Diane

Les A Cartier & Assoc., Inc.
PO Box 338
Laconia, NH 03246

Millwest Lead Project Revised Summary through June 22, 2015

Total Millwest Loft Residential Units:	98
Testing Schedule:	
Total Residential Units Wipe Sampled:	95
Units Failed needing lead dust reduction:	85
Units Passed: (1 st round – no reduction needed)	10
Scheduled for Testing	0
Units w/no permission to enter for testing:	3
Common Amenities - Lower Level Wipes	13
Common Amenities Passed wipe tests:	13
Lead Dust Reduction Schedule:	
Residential Units processed to date:	63
Units left for 1 st process	35
Total Units w/pass clearance tests:	56 (including 10 units no reduction needed)
Units processed/w/fail clearance test:	10
Units to be re-processed for clearance	7
Units with no permission to enter for cleaning	4

Les A Cartier & Assoc., Inc.
PO Box 338
Laconia, NH 03246

Millwest Lead Project Revised Summary through June 22, 2015

Commercial Units:

Total Millwest Commercial Tenants:	24 (based on footprint provided)
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Units requesting testing: (one tenant occupying 2 units)	8
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Units w/elevated level wipes:	5
Units processed to date and pass clearance:	1
Units pending processing and clearance:	4
Units pending 1st clearance test:	0
Commercial Tenants that have not requested testing	6

Submitted 6/24/15

Diane K Cartier, Project Coordinator

Simpson, Andrea

From: Magoon, Molly
Sent: Friday, June 26, 2015 10:30 AM
To: Hayes, Sharon
Cc: Alexakos, Philip J.; Beverly.Drouin@dhhs.state.nh.us; Simpson, Andrea; Soucy, Timothy
Subject: RE: Construction at Mill West

Yes I was made aware of this. I will call Marc Pinard this morning.

From: Hayes, Sharon
Sent: Friday, June 26, 2015 10:09 AM
To: Magoon, Molly
Cc: Alexakos, Philip J.; Beverly.Drouin@dhhs.state.nh.us; Simpson, Andrea; Soucy, Timothy
Subject: FW: Construction at Mill West
Importance: High

Can you check on this today...thanks.

Sharon M. Hayes, Manager
Toxics and Pesticides Unit
US EPA Region 1 (New England)
5 Post Office Square, Suite 100 (OES05-1)
Boston, MA 02109-3912
617-918-1328 (phone)
617-918-0328 (fax)
hayes.sharon@epa.gov

From: Jack Rodolico [<mailto:jrodolico@nhpr.org>]
Sent: Friday, June 26, 2015 10:02 AM
To: Hayes, Sharon; MDumond@dhhs.state.nh.us
Cc: Bender, Emily; Jake.Leon@dhhs.state.nh.us
Subject: Construction at Mill West

I am told by a tenant that demolition began again yesterday in the work area that was the source of the lead contamination at Mill West. The tenant claims the work area was not contained, and that workers were walking between that construction site and "clean" areas of the building.

Can you confirm if this is true, if this this is permissible, and what if anything EPA/DHHS are or can do about it?

Regards,
Jack

--
Jack Rodolico
Health and Science Reporter
New Hampshire Public Radio
603.223.2427

Simpson, Andrea

From: Magoon, Molly
Sent: Friday, June 26, 2015 11:27 AM
To: CraigC@EnviroVantage.Com; cartiergroup@metrocast.net
Cc: (PALEXAKO@manchesternh.gov); Marc Pinard; Hayes, Sharon;
(Beverly.Drouin@dhhs.state.nh.us); Soucy, Timothy; Simpson, Andrea;
Knatalie.Vetter@dhhs.state.nh.us
Subject: Cleaning on 2nd floor- former Extra Space Storage area

To Whom it May Concern:

I am the EPA contact for any issues regarding the clean-up work and issues with the EPA Order that may arise at the Mill West facility. In the future, please contact me **immediately** when any issue(s) comes up.

My EPA cell phone number is **(617) 721-2326**.

EPA is aware of the ongoing cleaning in this area. I have been made aware of a tenant's issues with this cleaning. Could whoever is supervising the cleaning there please call me to discuss these issues and possible resolutions?

I am aware that there may have been a breach of containment there yesterday by a tenant. I would like to see that proper warning signs are up and containment tape is being used to ensure that the public and tenants are warned to stay out. We should also be cautious of any possibility of cross contamination of adjacent common areas in the deconstruction of these storage units; workers coming and going from the area; and the removal of these former storage unit components from the building through common areas- such as the freight elevator.

Thank you in advance.

Respectfully,

Molly Magoon
Environmental Protection Specialist
United States Environmental Protection Agency
New England- Region 1
Phone: (617) 918-1848
FAX: (617) 918-0848
email: magoon.molly@epa.gov

EPA WEB SITE FOR LEAD: <http://epa.gov/lead/>

Simpson, Andrea

From: Magoon, Molly
Sent: Friday, June 26, 2015 1:01 PM
To: Hayes, Sharon; Simpson, Andrea
Subject: FW: Press coverage of Mill West

Sharon:

Could you please forward this to all those interested?

Thanks,
Molly

-----Original Message-----

From: Knatalie.Vetter@dhhs.state.nh.us [mailto:Knatalie.Vetter@dhhs.state.nh.us]
Sent: Friday, June 26, 2015 10:57 AM
To: Magoon, Molly
Subject: RE: Press coverage of Mill West

One more:

<http://nhpr.org/post/epa-takes-action-against-brady-sullivan-properties-hazardous-lead-contamination>

Knatalie Vetter
Environmental Compliance Inspector
Healthy Homes and Lead Poisoning Prevention Program Bureau of Public Health Protection Services New Hampshire
Division of Public Health Services, Department of Health and Human Services
Phone: 603-271-4719
Fax: 603-271-3991
e-mail: knatalie.vetter@dhhs.state.nh.us
website: www.dhhs.nh.gov/dphs/bchs/clpp

From: "Magoon, Molly" <Magoon.Molly@epa.gov>
To: "Knatalie.Vetter@dhhs.state.nh.us"
<Knatalie.Vetter@dhhs.state.nh.us>
Date: 06/26/2015 10:55 AM
Subject: RE: Press coverage of Mill West

Thanks!!

-----Original Message-----

From: Knatalie.Vetter@dhhs.state.nh.us [mailto:Knatalie.Vetter@dhhs.state.nh.us]
Sent: Friday, June 26, 2015 10:40 AM
To: Magoon, Molly
Subject: Re: Press coverage of Mill West

Hi Molly,

Aside from the articles done by the Union Leader (which I believe you already have) this is the only other article I am aware of <http://nhpr.org/post/manchester-tenants-sue-landlord-contractor-lead-exposure>

At the bottom you will see related articles which also includes an article on the storage unit in the building.

Best Regards,

Knatalie Vetter
Environmental Compliance Inspector
Healthy Homes and Lead Poisoning Prevention Program Bureau of Public Health Protection Services New Hampshire
Division of Public Health Services, Department of Health and Human Services
Phone: 603-271-4719
Fax: 603-271-3991
e-mail: knatalie.vetter@dhhs.state.nh.us
website: www.dhhs.nh.gov/dphs/bchs/clpp

From: "Magoon, Molly" <Magoon.Molly@epa.gov>
To: "Knatalie.Vetter@dhhs.state.nh.us"
<Knatalie.Vetter@dhhs.state.nh.us>
Date: 06/26/2015 10:30 AM
Subject: Press coverage of Mill West

Hi Knatalie:

Hope the meeting went well. Bev mentioned a number of different news articles about the Mill West site. Could you possibly collect those and forward them to me?

Thanks,
Molly

Simpson, Andrea

From: Magoon, Molly
Sent: Saturday, June 27, 2015 9:13 AM
To: Marc Pinard
Cc: Simpson, Andrea
Subject: Full Lead Inspection and Abatement needed for Unit #331

Marc:

As discussed on the June 25 conference call. EPA is requesting that Brady Sullivan conduct additional lead inspections and possible lead hazard abatement in all of the Mill West's child-occupied, residential units, as well as any units occupied by pregnant women.

I was recently contacted by Sarah Reinhardt, resident of Unit #331. She is the mother of a 4 yr. old child and is very concerned about her child's safety by staying in her unit. I know Diane remembers the first cleaning of this unit and knows said that the resident has a lot of toys.

Could you please put this unit on the top of the list of units needing additional risk assessment and possible lead hazard abatement? Ms. Reinhardt can be contacted at (603) 770-8576. Her email is smykema@yahoo.com

Please keep me informed of the scheduling and progress on assessing and/or abating all lead hazards in this unit.

Thank you.

Sincerely,
Molly Magoon
Environmental Protection Specialist
United States Environmental Protection Agency
New England- Region 1
Phone: (617) 918-1848
FAX: (617) 918-0848
email: magoon.molly@epa.gov

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EPA-New England Web Site for Lead Paint Assistance/Enforcement in New England:

<http://www.epa.gov/region1/enforcement/leadpaint/index.html>

Simpson, Andrea

From: Magoon, Molly
Sent: Monday, June 29, 2015 1:08 PM
To: Simpson, Andrea; (Beverly.Drouin@dhhs.state.nh.us)
Subject: Cartier/Brady Sullivan question for Clarification

Diane Cartier- project Manager at Mill West for Cartier and Associates called me today and asked me for the age limit for the children in determining which units will need added lead paint hazard inspections and abatement?

Simpson, Andrea

From: Magoon, Molly
Sent: Monday, June 29, 2015 3:46 PM
To: Soucy, Timothy; Marc Pinard; Beverly.Drouin@dhhs.state.nh.us; cartiergroup@metrocast.net
Cc: Hayes, Sharon; Mdumond; Alexakos, Philip J.; Patricia Simpson; Simpson, Andrea
Subject: RE: Weekly Millwest progress update 6-22 to 6-26 2015 - Commercial Units

FYI:

Andrea and I are working on this issue directly with Marc. We may not need to hold a conference call. We will keep you informed.

Thanks,
Molly

-----Original Message-----

From: Soucy, Timothy [mailto:TSOUCY@manchesternh.gov]
Sent: Monday, June 29, 2015 3:00 PM
To: Marc Pinard; Beverly.Drouin@dhhs.state.nh.us; cartiergroup@metrocast.net
Cc: Hayes, Sharon; Magoon, Molly; Mdumond; Alexakos, Philip J.; Patricia Simpson; Simpson, Andrea
Subject: RE: Weekly Millwest progress update 6-22 to 6-26 2015 - Commercial Units

I am free tomorrow morning.
Tim

-----Original Message-----

From: Marc Pinard [mailto:mpinard@bradysullivan.com]
Sent: Monday, June 29, 2015 12:14 PM
To: Beverly.Drouin@dhhs.state.nh.us; cartiergroup@metrocast.net
Cc: Hayes, Sharon; Magoon, Molly; Mdumond; Alexakos, Philip J.; Patricia Simpson; Soucy, Timothy; Simpson, Andrea
Subject: RE: Weekly Millwest progress update 6-22 to 6-26 2015 - Commercial Units

All, it is Brady Sullivan's position that the commercial units should not be part of this project and the risk assessment. The sandblasting did not cause lead dust to be introduced beyond the fire wall into the commercial units and the lead being found in the window wells at that end is historic in nature.

The prior owner of the building did the sandblasting in the commercial end and the residential guidelines do not apply in commercial areas. Shouldn't the commercial unit owners be responsible for the lead in their own units?

All commercial unit owners received lead disclosures at the time of unit purchase so what is there should be the responsibility of the respective owners. Brady Sullivan is willing to take care of its areas of responsibility, but Brady Sullivan should not be responsible for historic lead in the commercial units that it does not own. Residential standards should not be applied in commercial areas.

Perhaps we could have a conference call to discuss this matter.

Please let me know your availability for a call on this issue this afternoon or tomorrow morning. Thanks.

-----Original Message-----

From: Beverly.Drouin@dhhs.state.nh.us [mailto:Beverly.Drouin@dhhs.state.nh.us]

Sent: Monday, June 29, 2015 11:06 AM

To: cartiergroup@metrocast.net

Cc: Hayes, Sharon; Magoon, Molly; Mdumond; Marc Pinard; Alexakos, Philip J.; Patricia Simpson; Soucy, Timothy

Subject: Re: Weekly Millwest progress update 6-22 to 6-26 2015

Good Morning Diane -

I just wanted to make sure that EnviroVantage was not "abating the common areas" until the Risk Assessment was completed.

Beverly Baer Drouin
Section Administrator
Healthy Homes & Environment Section
Division of Public Health Service
NH Department of Health & Human Services

Phone: 603-271-8128

Fax: 603-271-3991

Email: beverly.drouin@dhhs.state.nh.us

Improving Health, Preventing Disease, Decreasing Costs for All.

Visit us at www.dhhs.nh.gov/dphs/iphnh/index.htm

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From: cartiergroup@metrocast.net

To: "Alexakos, Philip J." <PALEXAKO@manchesternh.gov>, Beverly Drouin <Beverly.Drouin@dhhs.state.nh.us>, "Hayes, Sharon" <Hayes.Sharon@epa.gov>, "Magoon, Molly" <Magoon.Molly@epa.gov>, Marc Pinard <mpinard@bradysullivan.com>, Mdumond <mdumond@dhhs.state.nh.us>, Patricia Simpson <psimpson@bradysullivan.com>, "Soucy, Timothy" <TSOUCY@manchesternh.gov>

Date: 06/28/2015 03:26 PM

Subject: Weekly Millwest progress update 6-22 to 6-26 2015

This update is as of 6/25/15 for the sampling and apartment clearance.

This past week was met with several challenges however the project is moving forward and feel confident that all sampling and at least one lead dust process of every apartment will be completed. There have been a few breaches of the sealed 1st and 2nd floors. All have been repaired and the area is still segregated from all other areas of the mill. Cameras have been installed in several areas to monitor this activity.

I have included the sampling results in summary form up to 6/25/15. The logs for the workers on 2nd floor have been included and they are approximately 90% complete with the dismantling of the old storage units and some cleaning of windows and floor areas. No transporting of these units is taking place at this time. The pieces are being cleaned within the 2nd floor space and placed in "clean room" adjacent to the decon chamber. When all pieces are cleaned, dust wipe samples will be done.

After results are received and passed, A tunnel chamber will be erected from the 1st floor space to the freight elevator to move the metal pieces to an awaiting truck. After the removal, the entire elevator and hall will be cleaned and the plastic barrier blocking of the stairs will be taken down. A photos will show, all signage is up and when the workers are not in the 2nd floor space, the outer doors are locked.

Attached with this email is: Sampling Data, daily test/cleaning status and clearance log, ECSI daily work logs, and some photos. We are currently working on getting the updated/revised Risk Assessment work plan for the residential units, XRF testing, abating the common areas, and the work plan for the 2nd floor. If any members have questions, please feel free to contace me. Diane(See attached file: 195 McGregor St., Manchester Dust Results as of 6.25.15 WML.xlsx)(See attached file: lead cleaning status 6-25-15.docx)(See attached file: Millwest.clearance chart 6-23-15.pdf)(See attached file: Job Log for Mill West 6-22 to 6-26 2015.pdf)(See attached file: posted furniture left in#303byTenant.JPG)(See attached file: neg.air.1stFloor.JPG)(See attached file: elvators.sealed.lockedout to 1st floor.JPG)(See attached file: view of 2nd fl 2 chamber decon.JPG)(See attached file: 2ndfloor-doorsecure.JPG)(See attached file: 2nd floor signage.JPG)(See attached file: #314-2.jpeg)(See attached file: #402.jpeg)

The Right-To-Know Law (RSA 91-A) provides that most e-mail communications, to or from City employees and City volunteers regarding the business of the City of Manchester, are government records available to the public upon request. Therefore, this email communication may be subject to public disclosure.

Simpson, Andrea

From: Magoon, Molly
Sent: Thursday, August 20, 2015 10:40 AM
To: Chow, James; Simpson, Andrea
Subject: Call into number and time for discussion of BS plans

What time- what number?- if not 12:15 or later- I will not be on the call.

Simpson, Andrea

From: Magoon, Molly
Sent: Thursday, September 24, 2015 11:33 AM
To: Amon, Tyler; Gauthier, John; Rudman, Thomas
Cc: Chow, James; Chabot, Dianne; Simpson, Andrea; Dame, Timothy (DEP); Dean, Shelagh - OSHA; (Beverly.Drouin@dhhs.state.nh.us); Knatalie.Vetter@dhhs.state.nh.us; Kilens, George - OSHA; Stephen.Cullinane@des.nh.gov; Pamela Talbot; Hayes, Sharon
Subject: FW: ECSI
Attachments: ECSI Citations.pdf

FYI:

If you don't already have it, here is a copy of recently issued OSHA citation to ECSI with regards to alleged violations at the Brady Sullivan's Mill West worksite (Manchester, NH) that ECSI was working as a sub-contractor.

This was forwarded to me today by Cheryl Croto of DOL- OSHA.

Molly Magoon
Environmental Protection Specialist
United States Environmental Protection Agency
New England- Region 1
Phone: (617) 918-1848
FAX: (617) 918-0848
email: magoon.molly@epa.gov

EPA WEB SITE FOR LEAD: <http://epa.gov/lead/>

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<http://www.epa.gov/region1/enforcement/leadpaint/reportviolations.html>

EPA-New England Web Site for Lead Paint Assistance/Enforcement in New England:

<http://www.epa.gov/region1/enforcement/leadpaint/index.html>

From: Croto, Cheryl - OSHA [mailto:Croto.Cheryl@dol.gov]
Sent: Thursday, September 24, 2015 9:53 AM
To: Magoon, Molly <Magoon.Molly@epa.gov>
Subject: ECSI

Please find attached the Citation for ECSI

U.S. Department of Labor

Occupational Safety and Health Administration

53 Pleasant Street, Room 3901

J.C. Cleveland Federal Bldg.

Concord, NH 03301

Phone: 603-225-1629 Fax: 603-225-1580



Citation and Notification of Penalty

To:
Environmental Compliance Specialists, Inc.
and its successors
111 Route 125
Kingston, NH 03848

Inspection Number: 1062210
Inspection Date(s): 05/11/2015 - 08/04/2015
Issuance Date: 08/28/2015

Inspection Site:
195 McGregor St.
Manchester, NH 03102

The violation(s) described in this Citation and Notification of Penalty is (are) alleged to have occurred on or about the day(s) the inspection was made unless otherwise indicated within the description given below

This Citation and Notification of Penalty (this Citation) describes violations of the Occupational Safety and Health Act of 1970. The penalty(ies) listed herein is (are) based on these violations. You must abate the violations referred to in this Citation by the dates listed and pay the penalties proposed, unless within 15 working days (excluding weekends and Federal holidays) from your receipt of this Citation and Notification of Penalty you either call to schedule an informal conference (see paragraph below) or you mail a notice of contest to the U.S. Department of Labor Area Office at the address shown above. Please refer to the enclosed booklet (OSHA 3000) which outlines your rights and responsibilities and which should be read in conjunction with this form. Issuance of this Citation does not constitute a finding that a violation of the Act has occurred unless there is a failure to contest as provided for in the Act or, if contested, unless this Citation is affirmed by the Review Commission or a court.

Posting - The law requires that a copy of this Citation and Notification of Penalty be posted immediately in a prominent place at or near the location of the violation(s) cited herein, or, if it is not practicable because of the nature of the employer's operations, where it will be readily observable by all affected employees. This Citation must remain posted until the violation(s) cited herein has (have) been abated, or for 3 working days (excluding weekends and Federal holidays), whichever is longer.

Informal Conference - An informal conference is not required. However, if you wish to have such a conference you may request one with the Area Director during the 15 working day contest period. During such an informal conference you may present any evidence or views which you believe would support an adjustment to the citation(s) and/or penalty(ies).

If you are considering a request for an informal conference to discuss any issues related to this Citation and Notification of Penalty, you must take care to schedule it early enough to allow time to contest after the informal conference, should you decide to do so. Please keep in mind that a written letter of intent to contest must be submitted to the Area Director within 15 working days of your receipt of this Citation. The running of this contest period is not interrupted by an informal conference.

If you decide to request an informal conference, please complete, remove and post the Notice to Employees next to this Citation and Notification of Penalty as soon as the time, date, and place of the informal conference have been determined. Be sure to bring to the conference any and all supporting documentation of existing conditions as well as any abatement steps taken thus far. If conditions warrant, we can enter into an informal settlement agreement which amicably resolves this matter without litigation or contest.

Right to Contest – You have the right to contest this Citation and Notification of Penalty. You may contest all citation items or only individual items. You may also contest proposed penalties and/or abatement dates without contesting the underlying violations. Unless you inform the Area Director in writing that you intend to contest the citation(s) and/or proposed penalty(ies) within 15 working days after receipt, the citation(s) and the proposed penalty(ies) will become a final order of the Occupational Safety and Health Review Commission and may not be reviewed by any court or agency.

Penalty Payment – Penalties are due within 15 working days of receipt of this notification unless contested. (See the enclosed booklet and the additional information provided related to the Debt Collection Act of 1982.) Make your check or money order payable to "DOL-OSHA". Please indicate the Inspection Number on the remittance. You can also make your payment electronically on www.pay.gov. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on OSHA Penalty Payment Form. The direct link is:

<https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>.

You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

OSHA does not agree to any restrictions or conditions or endorsements put on any check, money order, or electronic payment for less than the full amount due, and will process the payments as if these restrictions or conditions do not exist.

Notification of Corrective Action – For each violation which you do not contest, you are required by 29 CFR 1903.19 to submit an *abatement certification* to the Area Director of the OSHA office issuing the citation as identified above. The certification must be sent by you within 10 calendar days of the abatement date indicated on the citation. For Willful and Repeat violations, documents (examples: photos, copies of receipts, training records, etc.) demonstrating that abatement is complete must accompany the certification. Where the citation is classified as Serious and the citation states that abatement documentation is required, documents such as those described above are required to be submitted along with the abatement certificate. If the citation indicates that the violation was corrected during the inspection, no abatement certification is required for that item.

All abatement verification documents must contain the following information: 1) Your name and address; 2) the inspection number (found on the front page); 3) the citation and citation item number(s) to which the submission relates; 4) a statement that the information is accurate; 5) the signature of the employer or

employer's authorized representative; 6) the date the hazard was corrected; 7) a brief statement of how the hazard was corrected; and 8) a statement that affected employees and their representatives have been informed of the abatement.

Also, the law requires a copy of all abatement verification documents which are required by 29 CFR 1903.19 be posted at the location where the violation appeared and the corrective action took place.

Employer Discrimination Unlawful – The law prohibits discrimination by an employer against an employee for filing a complaint or for exercising any rights under this Act. An employee who believes that he/she has been discriminated against may file a complaint no later than 30 days after the discrimination occurred with the U.S. Department of Labor Area Office at the address shown above.

Employer Rights and Responsibilities – The enclosed booklet (OSHA 3000) outlines additional employer rights and responsibilities and should be read in conjunction with this notification.

Notice to Employees – The law gives an employee or his/her representative the opportunity to object to any abatement date set for a violation if he/she believes the date to be unreasonable. The contest must be mailed to the U.S. Department of Labor Area Office at the address shown above and postmarked within 15 working days (excluding weekends and Federal holidays) of the receipt by the employer of this Citation and Notification of Penalty.

Inspection Activity Data – You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to these alleged violations will be posted when our system indicates that you have received this citation. You are encouraged to review the information concerning your establishment at www.osha.gov. If you have any dispute with the accuracy of the information displayed, please contact this office.



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 08/28/2015. The conference will be held by telephone or at the OSHA office located at 53 Pleasant Street, Room 3901, J.C. Cleveland Federal Bldg., Concord, NH 03301 on

_____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1062210

Company Name: Environmental Compliance Specialists, Inc.
Inspection Site: 195 McGregor St., Manchester, NH 03102
Issuance Date: 08/28/2015

List the specific method of correction for each item on this citation in this package that does not read "Corrected During Inspection" and return to: U.S. Department of Labor – Occupational Safety and Health Administration, 53 Pleasant Street, Room 3901, J.C. Cleveland Federal Bldg., Concord, NH 03301

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

I certify that the information contained in this document is accurate and that the affected employees and their representatives have been informed of the abatement.

Signature _____

Date _____

Typed or Printed Name _____

Title _____

NOTE: 29 USC 666(g) whoever knowingly makes any false statements, representation or certification in any application, record, plan or other documents filed or required to be maintained pursuant to the Act shall, upon conviction, be punished by a fine of not more than \$10,000 or by imprisonment of not more than 6 months or both.

POSTING: A copy of completed Corrective Action Worksheet should be posted for employee review

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1062210
Inspection Date(s): 05/11/2015 - 08/04/2015
Issuance Date: 08/28/2015



Citation and Notification of Penalty

Company Name: Environmental Compliance Specialists, Inc.
Inspection Site: 195 McGregor St., Manchester, NH 03102

Citation 1 Item 1 Type of Violation: **Serious**

29 CFR 1910.134(h)(2)(i): Respirators were not stored to protect them from damage, contamination, dust, sunlight, extreme temperatures, excessive moisture, and damaging chemicals or were not packed or stored to prevent deformation of the facepiece and exhalation valve (Construction Reference 1926.103):

Site - On or about May 11, 2015, employees were sandblasting surfaces which contained arsenic, cadmium, and lead. During this work employees were wearing sandblasting helmets (respirators). The respirators were stored in the area where the sandblasting was being conducted and were not stored in a way that prevented them from being contaminated by arsenic, cadmium, or lead.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$4900.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1062210
Inspection Date(s): 05/11/2015 - 08/04/2015
Issuance Date: 08/28/2015



Citation and Notification of Penalty

Company Name: Environmental Compliance Specialists, Inc.
Inspection Site: 195 McGregor St., Manchester, NH 03102

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury or illness.

Citation 1 Item 2a Type of Violation: **Serious**

29 CFR 1910.1018(e)(2): Initial monitoring was not performed for each workplace, or work operation covered by 29 CFR 1910.1018 to accurately determine the airborne concentration of inorganic arsenic to which employees may be exposed: (Construction Reference: 1926.1118):

Site - On or about May 11, 2015, employees were sandblasting surfaces which contained arsenic. No personal samples were collected and no historical data was used to determine the exposures of the employees.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$3500.00

Citation 1 Item 2b Type of Violation: **Serious**

29 CFR 1926.62(d)(1)(iii): The employer did not collect personal samples representative of a full shift, including at least one sample for each job classification in each work area, either for each shift or for the shift with the highest exposure level:

Site - On or about May 11, 2015, employees were sandblasting surfaces which contained lead. No personal samples were collected and no historical data was used to determine the exposures of the employees.

Note: Environmental Compliance Specialists, Inc. was previously cited for a violation of this occupational safety and health standard, which was contained in OSHA inspection number 306945445, citation number 1 item number 5a and was affirmed as a final order on September 4, 2004 with respect to a workplace located at 5 Junkins Ave. Portsmouth, NH 03820.

Date By Which Violation Must be Abated:

Corrected During Inspection

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Environmental Compliance Specialists, Inc.
Inspection Site: 195 McGregor St., Manchester, NH 03102

Citation 1 Item 2c Type of Violation: **Serious**

29 CFR 1926.1127(d)(1)(i): The employer did not establish the applicability of this standard by determining whether cadmium was present in the work place and whether there was the possibility that employee exposure will be at or above the action level prior to performance of any construction work:

Site - On or about May 11, 2015, employees were sandblasting surfaces which contained cadmium. The employer had not made any effort to determine if cadmium was present in the areas to be sandblasted and whether or not employees would be exposed at or above the action level.

Date By Which Violation Must be Abated:

Corrected During Inspection

Citation 1 Item 3 Type of Violation: **Serious**

29 CFR 1926.62(j)(1)(i): The employer did not make available initial medical surveillance, consisting of biological monitoring in the form of blood sampling and analysis for lead and zinc protoporphyrin levels, to employees occupationally exposed on any day to lead at or above the action level:

Site - On or about May 11, 2015, employees were sandblasting surfaces which contained lead. The employees had not been offered initial medical surveillance to analyze the levels of lead and zinc protoporphyrin levels.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

10/16/2015

Proposed Penalty:

\$4900.00

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1062210
Inspection Date(s): 05/11/2015 - 08/04/2015
Issuance Date: 08/28/2015



Citation and Notification of Penalty

Company Name: Environmental Compliance Specialists, Inc.
Inspection Site: 195 McGregor St., Manchester, NH 03102

Citation 2 Item 1 Type of Violation: **Repeat**

29 CFR 1926.51(f)(2): Washing facilities were not maintained in a sanitary condition:

Site - On or about May 11, 2015, employees were sandblasting surfaces which contained lead, arsenic and cadmium. Worker hand washing facilities consisted of a single bucket that was change out once a day. There was no bucket provided for rinsing. Note: Suitable handwashing facilities are also required for use by employees exposed to lead in accordance with 1926.62(i)(5)(i).

Environmental Compliance Specialists, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard, which was contained in OSHA inspection number 899422, citation number 1, item number 1 and was affirmed as a final order on June 20, 2013, with respect to a workplace located at 21 Dover St. Dover, NH 03820.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$5600.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1062210
Inspection Date(s): 05/11/2015 - 08/04/2015
Issuance Date: 08/28/2015



Citation and Notification of Penalty

Company Name: Environmental Compliance Specialists, Inc.
Inspection Site: 195 McGregor St., Manchester, NH 03102

Citation 3 Item 1 Type of Violation: **Other-than-Serious**

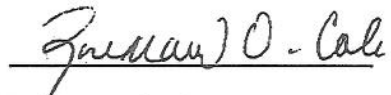
29 CFR 1926.62(m)(1)(i): The employer did not post the following warning signs in each work area where an employee's exposure to lead is above the PEL:

DANGER
LEAD WORK AREA
MAY DAMAGE FERTILITY OR THE UNBORN CHILD
CAUSES DAMAGE TO THE CENTRAL NERVOUS SYSTEM
DO NOT EAT, DRINK OR SMOKE IN THIS AREA:

Site - On or about May 11, 2015, employees were sandblasting surfaces which contained lead. The employer had not put up warning signs to notify people of the lead work area and the potential hazards in the area.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$700.00


Rosemarie O. Cole
Area Director

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
Occupational Safety and Health Administration
53 Pleasant Street, Room 3901
J.C. Cleveland Federal Bldg.
Concord, NH 03301
Phone: 603-225-1629 Fax: 603-225-1580



INVOICE / DEBT COLLECTION NOTICE

Company Name: Environmental Compliance Specialists, Inc.
Inspection Site: 195 McGregor St., Manchester, NH 03102
Issuance Date: 08/28/2015

Summary of Penalties for Inspection Number	1062210
Citation 1, Serious	\$13300.00
Citation 2, Repeat	\$5600.00
Citation 3, Other-than-Serious	\$700.00
TOTAL PROPOSED PENALTIES	\$19600.00

To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties summarized above. Make your check or money order payable to: "DOL-OSHA". Please indicate OSHA's Inspection Number (indicated above) on the remittance. You can also make your payment electronically on www.pay.gov. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on [OSHA Penalty Payment Form](https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334). The direct link is <https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>. You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

OSHA does not agree to any restrictions or conditions or endorsements put on any check, money order, or electronic payment for less than the full amount due, and will cash the check or money order as if these restrictions or conditions do not exist.

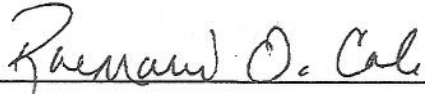
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 24 hours and will be shown on your regular account statement. You will not receive your original check back. The bank will destroy your original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to 2 times.

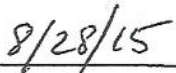
Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest, delinquent charges, and administrative costs for the collection of delinquent penalty debts for violations of the Occupational Safety and Health Act.

Interest: Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount becomes due and payable (penalty due date). The current interest rate is one percent (1%). Interest will accrue from the date on which the penalty amounts (as proposed or adjusted) become a final order of the Occupational Safety and Health Review Commission (that is, 15 working days from your receipt of the Citation and Notification of Penalty), unless you file a notice of contest. Interest charges will be waived if the full amount owed is paid within 30 calendar days of the final order.

Delinquent Charges: A debt is considered delinquent if it has not been paid within one month (30 calendar days) of the penalty due date or if a satisfactory payment arrangement has not been made. If the debt remains delinquent for more than 90 calendar days, a delinquent charge of six percent (6%) per annum will be assessed accruing from the date that the debt became delinquent.

Administrative Costs: Agencies of the Department of Labor are required to assess additional charges for the recovery of delinquent debts. These additional charges are administrative costs incurred by the Agency in its attempt to collect an unpaid debt. Administrative costs will be assessed for demand letters sent in an attempt to collect the unpaid debt.


Rosemarie O. Cole
Area Director


Date

Simpson, Andrea

From: Magoon, Molly
Sent: Tuesday, October 06, 2015 3:57 PM
To: Magoon, Molly
Cc: Simpson, Andrea
Attachments: 010160 - Case Description.pdf

FYI:

This is the Mill West and 70 Foundry Street FOIA from Chris Seufert. Due 11/05/15. It was one of three FOIAs, not a 4th.

Request Details**Status :** Initial Evaluation **Due Date :** 09/23/2015

0



Tracking Number : EPA-R1-2015-010160	Submitted Date : 08/24/2015
Requester : Christopher Seufert	Perfected Date : 08/25/2015
Organization : Seufert Law Offices, P.A.	Last Assigned Date : 08/24/2015
Requester Has Account : Yes	Fee Limit : \$25.00
Email Address : cseufert@seufertlaw.com	Request Track : Simple
Phone Number : 603-934-9837	Due Date : 09/23/2015
Fax Number : 603-934-9838	Assigned To : Region 1
Address : 59 Central St	Last Assigned By : N/A
City : Franklin	
State/Province : NH	
Zip Code/Postal Code : 03235	

Submission Details

Case File

Admin Cost

Assigned Tasks

Comments (0)

Review

Request Handling

Requester Info Available to the Public : Yes	Request Perfected : Yes
Request Track : Simple	Perfected Date : 08/25/2015
Fee Category : Commercial	Acknowledgement Sent Date:
Fee Waiver Requested: No	Unusual Circumstances ? : No
Fee Waiver Status: N/A	5 Day Notifications: <input type="checkbox"/>
Expedited Processing Requested : No	Litigation : No
Expedited Processing Status : N/A	

Request Description

Short Description :

All records/investigations/orders regarding lead paint and/or other contamination at Brady Sullivan owned property known as "Mill West" located at 195 McGregor St, Manchester NH and/or 70 Foundry St. Manchester NH

Description Available to the Public : Yes

Has Description Been Modified? ☐**Attached Supporting Files**

No supporting files have been added.

Upload Supporting Files

No attachments have been added.

Simpson, Andrea

From: Magoon, Molly
Sent: Thursday, November 12, 2015 9:38 AM
To: Simpson, Andrea; Hayes, Sharon; Padilla, Alma; Pellerin, Scott;
(Beverly.Drouin@dhhs.state.nh.us); Knatalie.Vetter@dhhs.state.nh.us
Cc: Magoon, Molly
Subject: Brady Sullivan tenant case allowed to continue: Union Leader article

<http://www.unionleader.com/Tenants-suit-against-Brady-Sullivan-allowed-to-go-forward>

Simpson, Andrea

From: Magoon, Molly
Sent: Friday, November 20, 2015 5:42 PM
To: Hayes, Sharon; Padilla, Alma
Cc: Simpson, Andrea
Subject: Signed Final IRs: 1018 and RRP Brady Sullivan
Attachments: 1018 IR signed 111615.pdf; RRP IR signed Final 111615.pdf

See attached

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
NEW ENGLAND
5 POST OFFICE SQUARE, BOSTON, MA 02109-3912

MEMORANDUM

DATE: November 16, 2015

SUBJ: Inspection Report: TSCA Section 1018 Compliance Inspection of *Brady Sullivan Properties, LLC*, Manchester, NH

FROM: Molly Magoon, Environmental Protection Specialist/ Enforcement Officer *M. Magoon*
Alma Padilla, Senior Environmental Employee (EPA Grantee)/ Inspector *Alma Padilla*
EPA Region 1, Office of Environmental Stewardship (OES), Toxics and Pesticides Unit (TPU)

THRU: Sharon Hayes, Manager, TPU, OES *Sharon Hayes*

TO: File

I. General Information

- A. 1). Firm and Address:
Brady Sullivan Properties, LLC
670 N. Commercial Street, Suite 303
Manchester, NH 03101-1149
- 2). Property Name: "Lofts at Mill West" or "Mill West"
195 McGregor Street
Manchester, NH 03102
- B. Location of Inspection:
Office at same address as listed above (Paragraph A, #2)
- B. Date of Inspection:
6/3/15
- C. Personnel Participating in Inspection (name, title, affiliation):
Molly Magoon, EPA Enforcement Officer
Alma Padilla, EPA SEE Grantee/ Inspector
Marc Pinard, General Counsel, Brady Sullivan Properties, LLC

II. Purpose of Inspection and Background Information

- A. Firm Selection/ Objectives of Inspections: This is a follow-up to a Renovation, Repair, & Painting ("RRP") Rule worksite inspection at Brady Sullivan's Mill West property at 195 McGregor Street, Manchester, NH on May 12, 2015.

B. Background Information on Firm: The worksite inspection was conducted because of complaints received by EPA. In addition to RRP Rule issues, complaints received also included information about possible improper lead disclosures given by Brady Sullivan to their tenants at the Mill West property.

C. Account of Pre-Inspection Communications with Firm: There have been previous RRP complaints against Brady Sullivan, which resulted in 3 previous EPA Region 1 inspections. The 1st complaint, in 2012, was about another Brady Sullivan property located at 300 Bedford Street ("Lofts at Mill #1"), in Manchester, NH. As a follow-up, EPA Region 1 inspectors Alexander Aman and Ronnie Levin conducted RRP & 1018 inspections on 8/22/2012. The 2nd complaint was received on 12/17/2013 regarding extensive dust being generating during work on the Extra Space Storage Facility, which was a business within the Brady Sullivan-owned and managed Mill West property at 195 McGregor Street, in Manchester, NH. Region 1 inspector Aman conducted an inspection on 1/29/2014 and closed it out on 3/05/2014 because he determined that the business ("Extra Storage Space") was in the commercial part of the property and thus was not subject to the RRP Rule. In Inspector Aman's close-out letter sent to Brady Sullivan, he stated that "EPA has identified areas from the commercial portions of the property to be target housing due to the ongoing conversion of these specific areas into residential use." The issue of whether the commercial area being converted into target housing is covered by EPA's RRP Rule was discussed both during the 1/29/2014 inspection with Marc Pinard, Brady Sullivan's in-house General Counsel, and in the EPA close out letter sent to Brady Sullivan. In his inspection report, Inspector Aman stated that he discussed the fact that "any renovation activities disturbing painted surfaces in these portions of the property are subject to the RRP Rule requirements." This reflects what is stated in the EPA regulations at 40 CFR §745.83: "A renovation performed for the purpose of converting a building, or part of a building, into target housing or a child-occupied facility is a renovation under this subpart." The 3rd complaint was received on 1/07/2014 regarding work at 250 Commercial Street, Manchester, NH (see Attachment 1: Copy of EPA's Correspondence to Marc Pinard of Brady Sullivan, dated March 5, 2014).

III. June 3, 2015 Inspection Time and Paperwork

A. Start Time: 9:50 a.m.

B. End Time: 11:45 a.m.

C. EPA Inspector Credential Presented: Yes ☒ to the following company representative(s)

Name: Marc Pinard, Esq. Title: General Counsel, Brady Sullivan

D. Forms (Check those signed and if attached. If not signed, add brief explanation as to why.) (See Attachments 2, 3 and 4):

1. Notice of 1018 Inspection Form: signed (Yes ☒) attached (Yes ☒)
2. Notice of RRP Inspection Form: N/A
3. TSCA Confidentiality Form: signed (Yes ☒) attached (Yes ☒)
4. Receipt for Documents Form: signed (Yes ☒) attached (Yes ☒)

IV. Facility Operations

A. When was entity established? 1992

B. What services are provided? Commercial & residential leasing and sales (specializes in developing, constructing, converting condos & homes; owns & manages an extensive portfolio of apartment communities specializing in loft apartments within renovated historic mill buildings)

C. Number of employees 75+

D. Number of properties (multi-family buildings/complexes) ~20; with 1,975 units; owned/managed by Brady Sullivan. (See Attachment 5: List of Brady Sullivan target housing (TH)); and list with property name; location, build date ("b.") and # of units as researched by Inspector Magoon:

NH – 14 complexes: 8 are TH properties with ~ 500 units):

- 1). Lofts at Mill #1 (300 Bedford St., Manchester) (b. 1889-1891) (110 units);
- 2). Mill West, Manchester - renovated mill buildings (b. 1889-1891) (110 units; w/ an additional 110 units will be constructed);
- 3). The Annex at Mill West, Manchester (b. ~1889) (110 units);
- 4). Gold St Duplexes, Manchester (b. 1964) (2 bldgs. / 4 units);
- 5). Southside Manor, Manchester (b. 1970) (14 bldgs. / 108 units);
- 6). Stonehenge Litchfield, Litchfield (b. 1970) (3 bldgs. / 17 units);
- 7). Roysan Street Duplexes, Manchester (b. 1963) (7 bldgs. / 14 units); and
- 8). Stonehenge Londonderry, Londonderry (b. 1971-1972) (8 bldgs. / 32-64 units)

MA – 4 complexes: 3 are TH properties with ~575 units under construction):

- 1). Lancaster Mill in Clinton (b. 1844) - renovated mill building with ~ 132 units, Phase 2 about to start;
- 2). Pacific Mills in Lawrence (b. 1889-90) that is currently being worked on by Environmental Compliance Specialists, Inc. (Projected # of units: 345); and
- 3). Junction Shops Mill, under construction: Conversion from commercial into target housing in Worcester (b. 1851) (>100 units)

RI – 8 complexes: 7 are TH properties with ~900 units (some are under construction):

- 1). American Tourister Mill (b. 1896), under construction: conversion project from commercial into target housing, Warren (~ 190 units);
- 2). American Wire Lofts, Pawtucket (b. 1900) (141 units);
- 3). Grant Mill, Providence: (b. 1890) (85 units);
- 4). Harris Mill Lofts, Coventry (b. 1850) (170 units);
- 5). Lofts at Anthony Mill, Coventry (b. 1868) (113 units);
- 6). Lofts at Pocasset Mill, Johnston (b. 1898) (92 units); and
- 7). Slater Mill, Pawtucket (b. 1882) (142 units).

Total: 18 target housing complexes with ~ 1,975 units;

E. Section 8 vouchers @ Mill West property: 0/0 #/%

IV. 1018 Rule Inspection

- A. Was entity familiar with the Disclosure Rule? Yes x
- B. Did entity regularly provide Disclosure Form? Yes x PYF pamphlet Yes x
- C. Were Disclosure Forms kept/accessible? Yes x
- D. Were lead-based paint documents recorded on DF? No x; several documents regarding lead were provided to EPA during the inspection. These documents were not listed on the DFs and not provided to prospective or the current tenants' DFs.
- E. Were DFs filled in completely? Yes x - with Comments: One had missing Tenant Acknowledgment for receiving the Pamphlet; a few DFs were signed by the Property Manager a day after the tenants signed; also see Paragraph G below.

(See Attachments 6 and 7: Copies of Leases and corresponding DFs):

- | | |
|----------------------------|---|
| 1. Section A: Yes <u>x</u> | 3. Section C: N/A: No reports listed on DF or given |
| 2. Section B: Yes <u>x</u> | 4. Section D: Yes <u>x</u> |
| | Signatures? Yes <u>x</u> |
| | Dates? Yes <u>x</u> |